

REPORT OF THE COMMITTEE ON LEGISLATION & INTERGOVERNMENTAL RELATIONS

June 28, 2000

The Honorable,
The Board of Commissioners of Cook County

ATTENDANCE

Present: Chairman Hansen, Vice Chairman Lechowicz, Commissioners Collins, Daley, Schumann, Silvestri, and Sims, (7)

Absent: Commissioners, Moran and Sutker (2)

Also Present: Steven S. Morrill, Morrill & Associates-Cook County Board's lobbyist in Springfield; and Eugene M. Barnes, E.M. Barnes & Associates-Cook County Board President's lobbyist in Springfield.

Ladies and Gentlemen:

Your Committee on Legislation & Intergovernmental Relations of the Board of Commissioners of Cook County met pursuant to notice on Wednesday, June 28, 2000 at the hour of 11:00 AM in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

With leave of the body, Chairman Hansen asked the Committee to consider Communication 236801 as the first item of business.

236801 SOUTH STICKNEY SANITARY DISTRICT (APPOINTMENT), by John H. Stroger, Jr., President, Cook County Board of Commissioners, transmitting a Communication dated June 20, 2000:

I hereby appoint GEORGE F. GUSTAFSON to fill the vacancy left by Benny Lonero at the South Stickney Sanitary District for a term to begin immediately and expire May 1, 2002.

I submit this communication for your approval.

Referred to the Committee on Legislation and Intergovernmental Relations 6/20/2000.

Commissioner Daley moved approval of Communication 236801. Seconded by Vice Chairman Lechowicz. The motion carried unanimously.

The Chairman then asked the County Board's lobbyist for brief remarks on the status of the County Legislative Program.

Chairman Hansen made a comment on the general success of the county's legislative program in terms of the passage of bills on which the Board took positions.

Steve Morrill provided the members with information on the Special Session of the General Assembly called by Governor Ryan. Mr. Morrill stated that the special session would be limited to reducing the State's sales tax on motor fuel from 6.25% to 1.25%, thereby preserving the local distribution to counties.

Vice Chairman Lechowicz asked Steve Morrill to keep the Board informed of the final text approved to ensure the Board that the legislation does not contain any provisions that would negatively impact Cook County government.

Steve Morrill proceeded to discuss the legislative items on the agenda.

Mr. Morrill informed the members that during the session the Board's positions on bills were sent to each member of the General Assembly in the form of two letters, under joint signature by President Stroger and Chairman Hansen. He stated follow up visits were done with Cook County legislators to ensure that the county's concerns were received and understood, and the Board's positions were also presented when bills were considered in committee.

Steve Morrill then proceeded to report on the status of legislation formally SUPPORTED by the Board.

- **HB 1137**

Steve Morrill stated that House Bill 1137 is the vehicle bill for an election proposal initiated jointly by the County Clerk and the Chicago Board of Elections to allow for the use of new voting equipment in its intended fashion. Mr. Morrill stated that there was no resolution on this subject but it might be resolved during the fall veto session.

In response to Commissioner Daley's question regarding if the new voting equipment will be used in the general election this November, Mr. Morrill stated that the new equipment will be used in every precinct; however, in a different manner than was initially intended.

In response to Commissioner Daley's question if the "rejection of ballots" feature will be available during this time, Steve Morrill stated that this feature would not be used under the current procedures this fall.

In response to Commissioner Daley's question regarding if House Bill 1841 was another election vehicle bill and, if so, why Cook County was specifically excluded from the provisions of the bill, Mr. Morrill stated the bill, as passed by the Senate, does specifically exclude elections in Cook County's jurisdictions and all election jurisdictions that are municipal, such as the City of Chicago. Mr. Morrill stated that the expressed rationale behind the exclusions was to more easily test the new video voting pilot program in smaller jurisdictions.

- **HB 3036**

Mr. Morrill stated the bill, creates the Senior Citizens Prescription Drug Discount Act and provides for a state-run collective "buying club" for seniors to purchase prescription drugs. He reported that the bill passed the House by a vote of 63-37-18, but was never released from Senate Rules Committee.

- **HB 3223**

Mr. Morrill stated the bill was initiated by the City of Chicago to address the high cost to appeal non-moving vehicle violations in Cook County's courts system. He reported that the bill passed the House by a vote of 115-0-0, but was never released from the Senate Rules Committee.

Vice Chairman Lechowicz commented that the Senate had passed Senate Bill 1442, which the Governor signed. The Vice Chairman further commented that the bill contains the same language as HB 3223 to decrease the Administrative Review Court Fee to \$25.

Steve Morrill, as directed by Chairman Hansen, stated he would note this correction on the status report.

- **HB 3428**

Mr. Morrill stated the bill provides for a procedure to freeze the assessment of historic residences for a set period during renovation. He reported that the bill passed both the House and Senate and was approved by the Governor as Public Act 91-806.

- **HB 4138**

Mr. Morrill stated the bill authorizes circuit court clerks to accept payments of court fines, penalties and costs through debit cards. He reported that the bill passed both chambers unanimously and was approved by the Governor as Public Act 91-733.

- **HB 4651**

Mr. Morrill stated the bill was initiated by the City of Chicago to allow the City to collect debts owed by employees of other governmental entities through wage deduction. He informed the committee that Cook County was successful in negotiations with the City and amended the bill to allow the provision to be reciprocal. He reported the bill failed the House deadline for passage.

- **HB 4698**

Mr. Morrill stated the bill was initiated in response to the First Appellate Court decision that there was no sovereign immunity from legal malpractice claims against public defenders. He stated the bill provides a specific statutory immunity for public defenders and thereby protects the county treasury. Mr. Morrill added that in order to increase the odds of the measure passing, the exact language in HB 4698 was amended onto Senate Bill 1387. He reported that both bills passed the legislature and were sent to the Governor for his signature. He noted House Bill 4698 still remains on the Governor's desk, but Senate Bill 1387 was approved as Public Act 91-820.

Vice Chairman Lechowicz and Commissioner Daley briefly commented that even with the wilful and wanton standard remaining, this legislation and statutory provision are essential to the County.

- **SB 1645**

Mr. Morrill stated the bill was initiated by the Cook County Assessor to address a problem with property tax re-assessment information not being received by property owners who have their taxes paid directly by a mortgage lender through escrow accounts. He stated the bill requires mortgage lenders in Cook County to send notices to all mortgagors within five days of receiving a notice of an increased assessment. He reported the bill passed both chambers and was approved by the Governor under Public Act 91-751.

Steve Morrill then proceeded to report on the status of legislation formally OPPOSED by the Board.

- **HB 2976**

Mr. Morrill stated the bill amended the Freedom of Information Act to allow public access to information regarding settlements of litigation involving a public entity, such as the County's medical malpractice, workers compensation and other litigation and industrial claims documents and reports. He reported that this bill was defeated.

- **SB 1276**

Mr. Morrill stated the bill sought to allow non-attorneys to represent a taxpayer before the Cook County Board of Review. He noted that a majority of the Board of Review members opposed the bill and requested that the County Board join them. Mr. Morrill reported the bill passed the Senate, but was defeated in the House Executive Committee on a 5-4-6 vote.

- **SB 1303**

Mr. Morrill stated the bill sought to allow local taxing districts to intervene in any case in which an objection to the levy is filed. He reported the bill passed the Senate on a 39-15 vote, but was re-referred to House Rules Committee at the end of the session.

- **SB 1440**

Mr. Morrill stated the bill creates the Local Taxpayers' Bill of Rights, but does not apply to Cook County government or the City of Chicago. He explained under the provisions of the bill, certain procedural responsibilities are imposed upon local governments in the adoption of their annual appropriation budgets. Mr. Morrill noted that the Board opposed the bill based on concerns regarding the mandates it would impose on other local governments in Cook County. He reported the bill passed both chambers unanimously and was sent to the Governor on May 12, 2000.

Commissioner Collins requested a copy of Senate Bill 1440 from Mr. Morrill, noting concern that it may still have a negative impact on the smaller non-home rule local entities in her district.

- **SB 1890**

Mr. Morrill stated the bill amended the Election Code and proposed to require the election authority to mail an absentee ballot along with an application for an absentee ballot and to prohibit counting an absentee ballot that was not accompanied by a completed application. He reported the bill failed to meet deadline for passage.

Steve Morrill then proceeded to report on the status of OTHER legislation that was of interest to the Board.

- **HB 3111**

Mr. Morrill stated the bill had been a proposal of the county's Judicial Advisory Council for three years. He explained the proposal calls for the transfer of financial responsibility from the County to the State to pay for indigent defense representation under the Sexually Violent Commitment Act. He reported the bill passed the House on a 75-36-2 vote and was held in the Senate Judiciary Committee, with Senate President Philip and Chairman Hawkinson agreeing to continue discussions on the proposal through the summer.

In response to Vice Chairman Lechowicz's question regarding the position of the Cook County Public Defender's Office, Steve Morrill stated the office is in support of this initiative.

- **HB 3929**

Mr. Morrill stated the bill was initiated by the probation officers and calls for restitution to be paid to victims of crime only after any court costs have been paid. He noted that the bill created lengthy debates in the Judiciary Committee, with a majority siding with the argument that a victim's restitution should also be a statutory priority. He reported that the bill is on concurrence in the House and the deadline for passage was extended to December 1, 2000.

Vice Chairman Lechowicz moved to support House Bill 3929, reaffirming the belief that the county's cost for the criminal justice system should remain a priority in future discussions on the bill. Seconded by Commissioner Schumann.

Commissioner Daley moved to reconsider the position on House Bill 3929. Seconded by Commissioner Schumann. The motion carried unanimously.

Commissioner Daley moved approval to support the intent of House Bill 3929 as it relates to victims rights, stressing that in future discussions on the bill, equal consideration should be given to the County's court costs to administer the criminal justice system and to just compensation for victims rights. Seconded by Vice Chairman Lechowicz. The motion carried unanimously.

- **SB 121**

Mr. Morrill stated this bill came from a task force report of the Illinois Criminal Justice Authority, was supported by Circuit Court Clerk in Cook County, and amends the Code of Criminal Procedure calling for the issuance of statewide arrest warrants and a statewide warrants system being implemented and maintained by circuit court clerks. He reported the bill was never called for a vote in the House and the deadline for passage was extended to December 1, 2000

- **SB 906**

Mr. Morrill stated the Board had opposed and stopped this bill from advancing in the 1999 session, but two weeks prior to the end of the 2000 session, it came out of House Rules Committee and passed in two days. He stated the bill was an initiative of the Township Officials and authorizes townships in Cook County to establish plan commissions with the authority to file official township plans for unincorporated areas of the County. He stated the bill does not preempt home rule authority and therefore would not impact Cook County's zoning and land use authority. Mr. Morrill reported that the bill passed both chambers and was approved by the Governor as Public Act 91-738.

Commissioner Schumann made a brief observation that the proposal will need a lot of attention from Commissioners, who have a majority of unincorporated land in their districts since this is specifically geared to look at Cook County zoning and land use.

Commissioner Schumann requested information from the President's Office regarding how the legislation will impact the County's services and authority as it relates to the Zoning Board of Appeals and the various departments involved in enforcing the Comprehensive Zoning Ordinance and Land Use Plan, and in general how this will be implemented in Cook County.

In closing Mr. Morrill stated that the big success the County had this session was in the State's budget and the 20% (\$81.7 million) increase in appropriations Cook County succeeded in obtaining with the support and assistance of the Governor and leaders in the House and Senate.

Vice Chairman Lechowicz noted the report President Stroger sent to the Commissioners from his Intergovernmental Relation's Office detailing the increased dollars and specific line items the County received, stating that it reflects the cooperation and good relationship President Stroger and the Board has with Governor Ryan and the House and Senate leaders.

Vice Chairman Lechowicz moved to have a letter or resolution, drafted by the lobbyists and with the assistance of the President's Office, memorializing the Governor and leadership thanking them for their support and assistance in regards to the appropriations Cook County government received from the State of Illinois. Seconded by Commissioner Daley. The motion carried unanimously.

Commissioner Daley moved to adjourn the meeting, seconded by Commissioner Schumann.
The motion carried.

Respectfully submitted,
Committee on Legislation &
Intergovernmental Relations

Carl R. Hansen, Chairman

Attest:

Sandra K. Williams, Secretary